THE ANSWER OF THE COMMISSIONERS OF THE Kingdome of Scotland, TO BOTH HOUSES OF PARLIAMENT, Upon the New Propositions of Peace, AND THE Foure *Bills* to be sent to his MAJESTIE.

EDINBURG.
Reprinted by *Evan Tyler*, Printer to the Kings most Excellent Majestie, 1647.

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The Answer of the Commissioners of the Kingdom of Scotland *to both Houses of Parliament, &c.*

WE have, with much patience, for divers years together, in pursuance of the Soleman League and Covenant, and Treaties betwixt the Kingdoms, used our best indevors for setling Religion and a happy Peace. Propositions were first agreed on in *Anno* 1644. with advice and consent of the Parliaments of both Kingdoms, presented to his Majesty at *Oxford* by Commissioners of both, and treated upon at *Uxbridg*, In *Anno* 1645. We did earnestly and frequently press the sending of those Propositions again to his Majesty, wherein the Houses would not concur with us; but on the contrary (after very long delay) thought fit to make several alterations therein, which were principally in matters that did concern the neer Union of the Kingdoms. Yet were we so earnestly desirous of putting an end to the long continued distractions and troubles of these Kingdoms, as (waving what might be conceived to be for the particular intereſt of the Kingdom of *Scotland*) we did joyn with the Houses of Parliament in presenting Propositions to his Majesty at *Newcastle*; though, as we then declared, we had just reason to be unsatisfied with divers things contained in those Propositions.

When it was agreed upon betwixt the Kingdoms, that the same Propositions should be again presented to his Majesty, at his coming to *Holdenby*, the performance thereof being delayed by the Houses, for divers moneths, we did patiently wait their leasure. Yet upon the sudden they did appoint a peremptory day for sending the Propositions to his Majesty; and gave order to their Commissioners, in case we were not precisely upon that day at *Hampton Court*, that they should

preſent the Propoſitions to the King alone by themſelves, contrary to the Treaty betwixt the Kingdoms; which was ſo ſtrange and unequal a way, as we might have juſtly denyed our concurrence, had not our love to Peace prevailed with us to joyn in that Meſſage. But after all this, finding no ſucceſs in that way of ſending Propoſitions to the King, and inſiſting upon his poſitive Aſſent thereunto, without giving any reaſons for the Juſtice of our deſires, or hearing any Propoſition from his Majeſty: We did, in *November* laſt, propoſe to the honorable Houſes, & with much earneſtneſs deſire, that there might be a perſonal Treaty with his *Majeſty* here at *London*, it being in all probability, the beſt means to obtain a Peace.

About the time of his *Majeſties* withdrawing from *Hampton Court*, the Houſes did communicate to us new Propoſitions, reſolved on by them to be preſented to his *Majeſty*; after receipt whereof, we did in our Paper of the 17. of *November*, inſiſt on our former deſire for a perſonal Treaty with his *Majeſty*. But receiving no Anſwer to that, nor to our paper of the 5. And our poſitive anſwer being demanded to the new Propoſitions; upon the 23. of *Novemb.* we reſolved once again to deſire an Anſwer to our former Papers; A perſonal Treaty being, in our judgment, a readier way to compoſe all differences, then the ſending of theſe new Propoſitions, wherein there are ſo great and eſſential differences from what was formerly agreed on by both Kingdoms. And to the end there might be no let or delay on our part, which might hinder the ſetling of a Peace; We deſired a conference with a Committee of both Houſes concerning the expediency of a perſonal Treaty with his *Majeſty*, and the alterations made in the Propoſitions, that ſo according to the Treaty of the 29. of *Novemb.* 1643. there might be, with the advice and conſent of both Nations, a ſpeedy Agreement in thoſe things, which are to be the foundation of the Peace of both. To all which, the Houſes have been pleaſed to return no Anſwer. However, it is no ſmal ſatisfaction to us, that we leave no means of Agreement uneſſay-

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ed; and that the retardment of the ſetling of the Peace of the Kingdoms, cannot be charged on us. And leaſt our further ſilence, in expectation of an Anſwer, ſhould be miſtaken, We have thought fit to repreſent our ſence, concerning a perſonal Treaty, and the Propoſitions, to the Houſes in writing: which, had our deſires been granted, we did intend to have done by a verbal conference.

There be ſome things which properly concern the Kingdom of *England*, their Rights, Laws, and Liberties. But there be other matters, which in their own nature, as being common to both, or by Covenant, or Treaty, concern both Kingdoms, wherein, unleſs we would forget our duty to God, to the Kings Majeſty, to our Native Kingdom, and to this Nation, Our common concernment and intereſt, cannot be denyd. For as *Scotland* was invited and ingaged in this War, upon grounds and reaſons of common intereſt: So we truſt it wil not be offenſive, that in making of Peace we claim from the Houſes and Improvement of the very ſame principles, and a performance of the Treaties they have made with us: that the ſame meaſure of conjunction of intereſts be given to us, which was had of us, and promiſed unto us: wherein the very Law of Nations, and the rule of common equity, doth plead for us. Yet in the application of this rule, we ſhall not ſtretch our ſelves beyond our line, the expreſſe conditions of our Solemn League and Covenant, the duty of our Allegiance, and the Treaties and Declarations between the Kingdoms, which are ſo many ſtrong obligations, as, all who have honor or conſcience, muſt acknowledg ſhould be inviolably obſerved.

Having layd this as a moſt juſt and ſolid ground of our proceedings, we ſhall firſt ſpeak of the beſt and moſt probable means to procure a good Agreement with the King for ſetling Religion and a laſting Peace: And next of the Propoſitions, which are to be the foundation of the peace and ſafety of both Kingdoms. And it is ſtil our Opinion and Judgment, that the moſt equal, faireſt, and juſt way to obtain a wel-

grounded peace, is be a personal Treaty with the King: and that his *Majesty*, for that end, be invited to come to *London*, with Honor, Freedom, and Safety: for which we offer the Reasons following.

1. The sending of Propositions, without a Treaty, hath been often essayed without success: And the new Propositions are less to the advantage of the Crown than the former. Therefore, we have no reason to expect better satisfaction that way than formerly we had.

2. The Kings removall from his Parliament, is acknowledged by the Houses in severall Declarations, to be the chiefe cause of all the War, mischief, and calamities of the Kingdomes. Then, his Majesties presence with his Parliament must be the best, if not the onely remedy, to remove our troubles.

3. In a personall Treaty the commissioners of both Kingdomes may give reasons for the equity and expediencie of our desires. But without a Treaty or giving reasons for asserting the lawfulness and expediency of the Propositions to be presented, they may be esteemed Impositions.

4. The King may have some just desires to move for the Crown, and for himself: As that he may have his Revenues, and that he may be restored to his Royal Government: which may be done, with greater honor and satisfaction to him, by a personal Treaty, then otherwise.

5. A personal Treaty with the King is the the best way to beget a mutual confindence between Him and his Parliament: It is the best way to cleer his doubts and to remove all difficulties: and it is the absolute best way for giving and receiving mutuall satisfaction.

6 We cannot expect that his *Majesty* will grant *in terminis* whatsoever Propositions shall be sent unto him: nor can every thing in the Propositions be of that importance, as that the not granting of it ought to hinder a Peace. Neither will the *Houses of Parliament* give ful power to their Commissioners to make alterations in the Propositions, as they shall see cause upon

upon debate. Wherefore, a perſonal Treaty with his *Majeſty* at *London*, is the moſt probable and expeditious way to remove or reconcile all differences.

There is one common obiection, where with many are poſſeſſed and prejudiced againſt a perſonal Treaty with the King, and his coming to *London*, [*That his preſence may breed diviſion, and continue our troubles: And that when his Majeſty deſired to come hither from Oxford with freedome and ſafety, it was thought unfit, and denyed by the Houſes, and the Commiſsioners from Scotland*] But that argument now hath no force at all: For the caſe of affairs, the Kings condition and ours (which were given for Reaſons in that Anſwer to his Majeſty) are quite altered from what they were then. Then the King had Armies in the fields; he had Garriſons and ſtrong holds to return to; Now, he hath none of theſe. And his Majeſty offers a ful ſecurity againſt all hoſtility or danger can be expected from him, by granting to the Houſes the power of the Militia by Sea and Land, during his Raigne, as is expreſſed in his Majeſties late Meſſage from *Caresbrook Caſtle*. And for a further anſwer, we deſire the Houſes to remember their Reply to his Majeſties Meſſage of the 11. of *September*, 1642. Where; after mention of their chief grievances, they ſay [*All this not withſtanding, as we never gave your Majeſtie any iuſt cauſe of withdrawing your ſelf from your great Councell: So it hath ever bin, and ſhall be far from us, to give any impediment to your return: Or to neglect any proper means of curing the diſtempers of the Kingdom, and cloſing the dangerous breaches betwixt your Majeſty and your Parliament, according to the great truſt which lyeth upon us. And if your Maieſty ſhall now be pleaſed to come back to your Parliament without your Forces: We ſhall be ready to ſecure your Royal Perſon, Crown and Dignity, with our lives and fortunes, Your preſence in this great Councel, being the only means of any Treaty betwixt your Majeſty and them, with hope of ſucceſs.*] And if they were eſteemed Enemies to the Parliament, and the Peace of the Kingdoms, who adviſed the King to withdraw from his Parliament:

Parliament : What eſtimation wil the world have of them, who after ſuch a Declaration , wil not ſuffer him to return to his Parliament, when he offers to caſt himſelf into their Arms If ſo kind an offer ſhal be refuſed, and the King driven to deſpair, it is to be feared, theſe Kingdoms ſhall be involved into greater difficulties then ever. And therefore we do hold , that the admitting the King to come to London with Honor, Freedom and Safety , and granting of a perſonal Treaty with his Majeſty , upon ſuch Propoſitions as ſhall be agreed upon by advice and conſent of both Kingdoms , is the moſt probable, and only beſt means, with hope of ſucceſs , for ſetling of a wel-grounded Peace.

Having ſpoken of the readieſt means to obtain a juſt and laſting peace ; We ſhall next fall upon the Conſideration of the Propoſitions, which are to be the Foundation of our peace. And the moſt compendious and ſuccinct way to a good agreement, and unanimous Reſolution upon them is, in the firſt place to conſider and remove our differences , which are chiefly in Religion, the Intereſt of the Crown, and in the Union and Joynt Concernment of the Kingdoms.

We ſhal begin with that of Religion, which for the incomparable Excellency thereof (although it be amongſt the laſt of the new Propoſitions) deſerves the preference. It is the *primum quærite* , the *unum neceſſarium* ; We ought to build the Houſe of God before our own. The Law of piety and true policy do require that Religion , which rendreth to God his due, have the precedency. And therefore (upon debate) before we went to the Treaty at *Uxbridg* , it was agreed betwixt the houſes and us, that the Propoſitions of Religion ſhould be in the firſt place, and firſt Treated and Agreed upon, before any Agreement upon any other Propoſition. And his Majeſty in his late Meſſage from *Caresbrook Caſtle* , begins at Religion, as the beſt and chiefeſt Foundation for Peace. Wherefore , if this changing of the former Order and Method of the Propoſitions, be only their Error , to whom the reviewing of the

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Propoſitions was committed, And if the Houſes have not faln away from their firſt Zeal: We deſire that it may be rectified, and the former Method keeped. And ſo we come to the matter of the Propoſitions.

The material differences and alterations concerning Religion, may be branched into the Errour of Omiſſion and Deficiency, and into that of Commiſſion and Exceſs. That which is left out, is no leſs then the Solemn League and Covenant. And ſhall the Covenant, which is as Solemn a vow, as Creatures on Earth could make to God in Heaven, and the greateſt tye betwixt men on Earth (to which the moſt high and dreadful Name of the Lord God Almighty, was interpoſed) be offered up in a Sacrifice, and buryed in the aſhes of Oblivion? Shall our Covenant for the Preſervation and Reformation of Religion, for the honor and happyneſs of the King, and the peace and ſafety of the three Kingdoms; and for the maintenance and defence of the Laws, and true publick Liberties of theſe Kingdoms; which was declared by both Kingdoms, to be a fit & moſt Excellent means, to acquire the favour of God towards both, and likewiſe to Unite them, and by uniting, to ſtrengthen them againſt the common Enemies of the true Reformed Religion, and the Peace and Proſperity of theſe Kingdoms; and which in all former Propoſitions was deſired to be eſtabliſhed: Be now deleted, as unworthy to take room amongſt theſe new Propoſitions? Shall the Covenant, which both Houſes did recommend to the Aſſembly of Divines, to make a Declaration to all ſorts of perſons to take it, as that which they judged not only Lawful, but exceeding expedient and neceſſary for all that wiſh wel to Religion, the King, and Kingdom, to joyn in, and to be a ſingular pledg of Gods gracious goodneſs to all the three Kingdoms: (we ſay) ſhall that Covenant be layd aſide; Shall our mutual and ſolemn League and Covenant ſubſcribed by the Parliaments of both Kingdoms, by the Aſſembly of Divines, by the City of London, and which, not only they, but all Scotland, and many thou-

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ſands in England and Ireland, with hands lifted up to the moſt high God, did ſwear [*That they ſhall not ſuffer themſelves directly or indirectly by whatſoever combination, perſwaſion or terror, to be divided and withdrawn from that bleſſed union and conjunction, whether to make defection to the contrary part, or to give themſelves to a deteſtable indifferency or neutrality in this cauſe, which ſo much concerneth the glory of God, the good of the Kingdoms, and honor of the King: but ſhall all the days of their lives, zealouſly and conſtantly continue therein againſt all oppoſition: and promote the ſame according to their power, againſt all lets and impediments whatſoever: and that they ſhall do all this as in the ſight of God*] Shall that Covenant (even with thoſe that took it) be already out of date, and not ſo much as remembred amongſt the Propoſitions of Peace? Yea, it is not ſo much as mentioned in theſe new Propoſitions, except in the 7 Qualification of the 14. Propoſition, where it is only made a hook to catch ſome into the Notion of Delinquency: But perhaps there it eſcaped the Reviſers of the Propoſitions, who in all other places have exploded it,

It is anſwered by ſome, that by one of the Propoſitions it is craved, that an act of Parliament be paſſed, declaring the Kings approbation of the making of the Treaties between the Kingdoms of Scotland and England; in which Treaties there is mention made of the Covenant: And therefore it is not neceſſary to deſire a particular Confirmation and Eſtabliſhment of the Covenant. To which it is briefly Replyed, firſt, that there is no Propoſition for paſſing any Act of Parliament, to confirm the Treaties between the Kingdoms, as was deſired in all former Propoſitions; but theſe words are purpoſely changed, and in place thereof there is only deſired, An Act Declaring the Kings approbation of the making of the Treaties; which in effect is no more then an act of Indempnity for making the Treaties, and not an Act for confirmation and eſtabliſhing of the Treaties themſelves, and thoſe things which are expreſſed and tranſacted in them. 2. Suppoſe there were

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an Act of Parliament passed for approbation of the Treaties between the Kingdoms in general (which is not in these Propositions) Yet such a generality would not be understood to be extended to the confirmation of the Covenant, unless the particular Articles of the Treaty and the Covenant, were expresly inserted; because there was an expres Proposition amongst the former, that an Act of Parliament be passed in both Kingdoms for confirming and taking the Covenant; which being now left out of the new Propositions, without mentioning the Covenant, cannot but be interpreted as a receding from the Covenant: and the approbation and confirmation of the Treaties in generall (after deleting the Covenant out of the Propositions) would only be understood of the remaining Articles of the Treaties. Therefore, if there be not an intention to relinquish the Covenant; Let us not be ashamed to avow it and insert the confirming of it, as one of the chiefe and expresse desires of our propositions: [*Let us give testimony, and beare witnesse to the truth and not deny it, remembring that whosoever shall give testimony to Christ and his truth by confessing him before Men, he will also confesse them before his Father which is in heaven: And whosoever will deny him before Men, them will he deny before his Father which is in heaven.*] Matth. 10. 32. 33.

And seeing the Covenant was the soveraigne & only meanes of recovering these embroiled bleeding Kingdomes, when the Houses were at their lowest ebbe, and desired the Kingdome of *Scotland*, (*to consider with what difficulties, miseries, and distractions, they were enforced daily to wrestle, even for the life and being both of Church and State*:) Surely, the despising, refusing, and casting aside that remedy, would be the height of ingratitude, must render the disease much more desperate, and turn our former mutuall confidence into mutuall diffidence. And therfore we desire, that the Houses upon better consideration, will still adhere to the Covenant, and insert it among the propositions. Declarat. delivered in Scotland Iuly 1643.

And whereas the Kings aversnesse from the Covenant may

be objected,and that the desiring to have it confirmed, may be a hinderance to peace: We answer, If the omitting of the Covenant in these Propositions doth really proceed from that principle,that the Houses are desirous to please the King, and to remove all objections that may hinder a peace: We doe very much wonder,that they are so liberall in the matters of God,and so tenacious in what concernes themselves, in all differences betwixt his Majesty and them in things Civill, which may farre better be dispenced with. But to answer the strength of the Objection, We say, That the Covenant being for the preservation and Reformation of Religion,and for the true honour and happinesse of the King and his Posterity,and for the peace and safety of his Kingdomes; Whatever be the difference of his Majesties judgement, We have just cause to insist to crave his Royall assent to it; And the Kings heart is in the hands of God,to turn it as the rivers of waters whither he pleaseth: And although the King should deny it, yet we ought to performe our duty; And when his Majesty shall be convinced,that our intentions in entring into this Covenant, were and are pious and loyall; and that our Actions doe evidence that we intend no injury to his Royall Person,to wrong his Government, nor to deminish his just power: We hope God will incline his heart to give just satisfaction concerning the Covenant. And though his Majesty shall not come the full length of our desires, yet we must never depart from the Covenant,nor leave off by all just wayes to promote it,or desist from endeavouring by all lawfull meanes to procure his Majesties assent unto it. But we desire that we may be rightly understood in this,and not misconstrued; as if our zeale for the Covenant did abate or diminish at all from our Loyalty and duty to the King, (for the Covenant doth not lessen or limit our allegeance,as some would falsely slander it,and those who sincerely and loyally took it) or that upon difference of his Majesties judgement, and not comming the full length of our desires in every thing, he should be kept in prison; or

that

that Armes ſhould be kept up (now when the Warre is ended) to burthen the Subjects, and force the King to grant what they pleaſe to demand. We were confident (when our Army returned to *Scotland*, and left no Forces in this Kingdome to oppoſe the Parliament) that the Army here ſhould have been inſtantly disbanded: And could never have expected that the Kings Majeſty, to whom the Parliaments of both Kingdomes were to make their addreſſes for a ſafe and well-grounded peace, ſhould have been taken away by the Army againſt his will, and ſtill kept in their power, to be carryed whether they pleaſe, or forced to flye for ſafety. If *Scotland* had apprehended, that the leaſt injury or violence would have been committed againſt his Majeſties Royall Perſon, or Monarchicall Government: Nay, if they had not received aſſurance from the Houſes to the contrary, certainly all the threatnings or allurements in the world, could never have perſwaded them to have parted with the King till all Armies had been disbanded, and the peace of the Kingdomes ſetled. It was our brotherly confidence in the Houſes (who are our fellow Subjects) and the aſſurance we had from them, that made us leave the King with them: And their care of him and duty to him ought to be ſuch, as neither his Majeſty, nor we, have cauſe to repent it. And this we could not but declare to aſſert the truth, and vindicate the honour and reputation of our Nation; for our Loyalty hath ever been, is, and ſhall be dearer unto us, then our lives and fortunes; And the candor and integrity of all our Actions, is a ſufficient confutation of all the calumnyes and aſperſions, which malice or envie can forge againſt us

We finde alſo theſe Propoſitions omitted, *viz.* the Propoſition for confirming the Ordinances concerning the calling and ſitting of the Aſſembly of Divines; the Propoſition for Reformation of Religion in *England* and *Ireland*, according to the Covenant; And the Propoſition for ſetling Unity and Uniformity in matters of Religion between the Churches of God in both Kingdomes, according to the Covenant. In pla e

of all which, we finde nothing but a meer ſhadow of *Presbyteriall* Government, an externall Form of Diſcipline without life or power; and a liberty granted for all ſorts of Service and Worſhip of God, and for the Excerciſe of all ſuch Religious Duties and Ordinances as every perſon ſhall pleaſe, and his own erroneous conſcience ſhall dictate unto him (for there is no other rule preſcribed) which opens a doore to Atheiſm to all Religions, and to that which (by abuſe of the name) is called liberty of conſcience; being indeed liberty of errour, ſcandall, ſchiſm, hereſy, diſhonouring God, oppoſing the truth, hindering Reformation, and ſeducing others; So, in place of Uniformity in Religion, which by Covenant both Kingdomes have ſworn to endevour, there is here deſired to be ſetled a vaſt deformity or multi-formity of Hereſies and Sects; which, if the Lord in his mercy ſhall not prevent, may produce the ruine of Religion in both Kingdomes, which we have juſt reaſon to feare; as for other reaſons, ſo when we conſider the Declaration of the Houſes of Parliament, ſpeaking of the deſign of the Popiſh and Prelaticall Faction to alter Religion in this Iſland: of whom they ſay, firſt, (*they reſolved to impoſe a Popiſh Service-Book upon* Scotland; *for well they knew the ſame fate attended both Kingdoms, and Religion could not be altered in the one without the other.*) And in Anſwer to the *Scots* Declaration, pag. 601. (*Whenſoever the deſign to root out Religion ſhall be perfected in either Nation, it will eaſily be accompliſhed in the other, Religion being the band and foundation of the ſafety and happineſſe of both.*) And in Auguſt. 1643. the Engliſh Commiſſioners declare to the Kingdome of *Scotland*, (*that they are commanded by their inſtructions to put their brethren of* Scotland *in minde, that the Popiſh and Prelaticall Faction, that began with them about the yeare* 1638. *and* 1639. *and then intended to make way to the ruine of the Kingdome of* England *by theirs, have not abated any part of their malice toward the Nation and Church of* Scotland; *nor at all departed from their deſign of corrupting and altering Religion through the whole Iſland, though they have inverted the*

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manner

manner of their proceeding, conceiving now that they have an easier way to destroy them, if they may first prevaile over the Parliament and Kingdome of England; *In which respect it is the desire of both Houses, that the two Nations may be strictly United, &c.*) And in another paper it is declared, that (*what corruptions take root in the Church and Kingdome of* England, *will quickly spread their venome and infestion into the Neighbour Church of* Scotland:) Wherefore, we cannot but dissent from this Proposition; And according to the trust reposed in us, represent our just exceptions against it. And first of all we think it very strange, That the Houses of Parliament should desire an Act of Parliament to bee made for establishing *Presbyterian* Government, and in the very same Proposition, desire that it may bee Enacted that none shall obey that Act of Parliament, but such as shall please to doe it. 2. We observe, that however it is pretended that *Presbyterian* Government is desired to be established, as the Government of the Church of *England*; yet it is only in effect, a Liberty granted to all such, as of their own accord will joyn in *Presbyteriall* Government, and so amounts to no more then a Toleration of it. 3. That this toleration of *Presbyterian* Government is many wayes limited; as in the time for which it is to endure, being only to the end of the next Session of Parliament, after the end of this present Session, which perhaps may be not above six Moneths. And the Ministers and Elders are appointed by Ordinance of Parliament to exclude from the Sacrament, only such Persons as the House have thought fit, and no others, though it be against their consciences so to do. They are bounded with severall restrictions in their Meetings and Assemblyes, and are not allowed the use and exercise of all the Ordinances appointed by the Word of God; so as liberty of conscience is denied to them, and granted to others: For, 4. An unlimited toleration for the time of endurance, matter of worship, and exercise of all Ordinances, is expresly granted to all the Sectaries of the time, whether they be Anabaptists, Antinomians, Arminians, Familists,

English Commissioners August 1643.

Familiſts, Eraſtians, Browniſts, Separatiſts, Libertines, or Independents; yea, it extends to thoſe Nullifidians, the Seekers, to the new Sect of Shakers, and divers others; By all which the very foundation of Church and State is ſhaken, and neare to be overthrown, 5. The toleration here deſired to be eſtabliſhed is of that capacity and latitude, as it may admit of many vile and groſſe errours which have been condemned and caſt out of the Church informer times, and may be revived in *England*; as if errours and hereſies were of ſo precious a nature, that men ſhould be encouraged by Law to enquire after them, and invited to maintaine them. 6. This toleration is not only to the perſons of thoſe Sectaries and their families, but gives a full liberty to ſet up their profeſſious in any fit and convenient places, that ſo Scandals, Hereſies, Schiſmes, and new Religions may grow in their kiuds, and alſo multiply in the number of Profeſſours and Diſciples, as if there were not enough already. 7. Though it ſeemeth that a proviſion is made that this indulgence ſhall not extend to the toleration of Antitrinitarians, Arrians, and Antiſcripturiſts, yet there is no more expreſſed, but that this indulgence ſhall not extend to tolerate the Printing, Publiſhing, or Preaching ſuch blaſphemies and errours as they do maintain againſt God, the Holy Trinity, and the Scriptures. They are not made lyable to any penalty; and ſuppoſe penalties were impoſed upon them for Printing, Publiſhing, or Preaching thoſe errours: yet they are by this Propoſition left to a full liberty to maintain them in private, to reaſon and diſpute that there is no God, that Chriſt is but an Impoſtor, that there is no ſuch thing as the Holy Ghoſt, that the Scriptures are but like other writings: blaſpheming at their pleaſure, and ſeducing others to their opinions in ſecret: All which, and much more, according to to this Propoſition, may not be queſtioned: and ſo in reality, though not in pretext, they ſhal be tolerated as well as others, 8. All profane and wicked perſons are left at liberty by this toleration to doe what they pleaſe. For they are not obliged

to

to be ſubject to any Diſcipline or Government, and ſo neither the duties of the firſt nor ſecond table of the Law of God, ſhall be obſerved; but all ſorts of impiety and works of darkneſſe, ſhall abound: and ſuch as hate the ſincere worſhip of God in the Church, may have the moſt unlawfull and wicked meetings elſewhere, under a profeſſion of religious exerciſes or Ordinances. We might adde more exceptions againſt this Propoſition; But theſe we truſt may ſuffice to make any that is but a little indued with the light of the Goſpell, and hath any love to the truth, for to deteſt and abhorre ſuch a toleration. And now we deſire the Houſes of Parliament to remember their Remonſtrance of the State of the Kingdome of the 15 of December 1642. where they reſent it as a great injury, that any (*ſhould infuſe into the people that they meane to leave every man to his own judgement and fancy for the ſervice and worſhip of God; and do declare, that it is farre from their purpoſe and deſire, to let looſe the golden reynes of Diſcipline and Government in the Church, to leave private perſons or particular Congregations, to take up what kinde of divine ſervice they pleaſe; and hold it requiſite, that there ſhould be throughout the whole Realme a conformity to that Order, which the Laws enjoyne, according to the word of God.*) How conſonant this toleration is to that Declaration, we leave it to the Houſes of Parliament and all wiſe men to conſider; and whether the danger of the true reformed Religion in theſe Kingdomes, be not greater now then before the taking of the Covenant; yea, or ſince Chriſtian Religion came firſt into this Iſland, when toleration of all Religions (the name of Popery only excepted) is deſired by the Houſes of Parliament to be eſtabliſhed by Law; and the very Principles and Fundamentals of faith, which under Prelacy yea under Popery it ſelfe, were generally received as uncontroverted, are now by many Sectaries of this time, either oppugned or called in queſtion.

There are divers other paſſages in the Declarations and Ordinances of both Houſes to the ſame purpoſe; but here we ſhall only mention one or two. In particular we would have

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the Houſes call to minde their Declaration and anſwer to the Lords of his Majeſties Secret Counſell of Scotland, and the generall Aſſembly of the Church of that Kingdome in the yeare 1642. where beſides other expreſſions they uſe theſe words, (*We acknowledge it an act of love to us, and Wiſdome for the good of both Churches, for which we are thankefull both to God and them, that our Brethren of Scotland have beſtowed their ſerious thoughts and earneſt deſires for Unity of Religion, that in all his Majeſties Dominions there might be one confeſſion of faith, one Directory for worſhip, one pulick Catechiſme, and one forme of Church Government. And although it will hardly be obtained punctually and exactly, unleſſe ſome way might be found, for a mutuall communication and conjunction of Counſell & debate in frameing that one forme; yet both intending the ſame end, proceeding by the ſame rule of Gods word, and guided by the ſame Spirit: we hope by Gods aſſiſtance to be ſo directed, that we may caſt out whatſoever is offenſive to God, or juſtly diſpleaſing to any neighbour Church; And ſo farre agree with our Brethren of Scotland and other reformed Churches in all ſubſtantiall parts of Doctrine, Worſhip, & Diſcipline, that both we and they may enjoy thoſe advantages and conveniences, which are mentioned by them in this their anſwer. In the more ſtrict Union of both Kingdomes: more ſafe, eaſy, and comfortable Government of his Majeſty, and both to himſelfe and people, more free communion in all holy exerciſes and dutyes of worſhip: more conſtant ſecurity of Religion againſt the bloody practiſes of Papiſts, & deceitfull errours of other Sectaries.*) And having there made known their reſolution to take away the Government by Biſhops, they deſire ſome godly and learned Divines of that Church, to bee ſent to the Aſſembly of Divines here, whereby an uniformity in form of Church Government may bee obtayned: and one Confeſſion of Faith, one Directory, and one Catechiſm may be ſetled in all the three Kingdomes: Which deſire was afterwards renewed to their Commiſſioners ſent to Scotland: and in the end the mutuall and joynt deſires of both Kingdomes, were crowned with a Solemne League and Covenant:

venant: as for other ends, so for endeavouring the neareſt conjunction and uniformity in al theſe: and for exterpation of Hereſy and Schiſme. Theſe foure yeares paſt, the labours of many learned and godly Divines of both Kingdomes thereunto appointed, have been ſpent in framing a Directory for worſhip (which was long ſince approved, and received in both Kingdomes,) a Confeſſion of Faith, a form of Church Government and Catechiſing: all which have been preſented to both Houſes, and ſome progreſſe was made therein toward the eſtabliſhing of them, till of late they were laid aſide.

The Houſes not many months ſince, did appoint a ſolemn Faſt, and day of Humiliation, to be kept throughout the whole kingdome, becauſe of the growth of Hereſies, Blaſphemies, and Schiſms: The words of the Ordinance are theſe [*We the Lords and Commons aſſembled in the Parliament of* England, *having entred into a ſolemn Covenant, to endeavour ſincerely, really, and conſtantly the reformation of Religion in Doctrine, Diſcipline, and Worſhip; And the extirpation of Popery, ſuperſtition, hereſie, ſchiſme, prophaneſſe, and whatſoever ſhal be found contrary to ſound doctrine, and the power of godlineſſe. And having found the preſence of God wonderfully aſſiſting us in this cauſe, eſpecially ſince our ſaid engagement, in purſuance of the ſaid Covenant, have thought fit (leſt we partake in other mens ſins, and therby be in danger to receive of their plagues) to ſet forth this our deep ſence, of the great diſhonour of God, and perillous condition that this Kingdome is in, through the abhominable blaſphemies, and damnable hereſies vented and ſpread abroad therein, tending to the ſubverſion of the faith, contempt of the Miniſtry, and ordinances of Jeſus Chriſt. And as we are reſolved to imploy and improve the utmoſt of our power, that nothing be done or ſaid againſt the truth, but for the truth: So we deſire that both our ſelves and the whole Kingdom may be deeply humbled before the Lord, for that great reproach & contempt, which hath been caſt upon his Name, & ſaving truthes, and for that ſwift deſtruction that we may juſtly fear will fall upon the immortall ſouls of ſuch, who are or may be drawn away by*

giving heed to ſeducing ſpirits. In the hearty and tender compaſſion whereof, We the ſaid Lords and Commons doe order and ordaine, That Wedneſday being the 10. *day of* March *next, be ſet apart for a day of publike humiliation, for the growth and ſpreading of errors, hereſies, and blaſphemies, to be obſerved in all places within the Kingdome of* England, *Dominion of* Wales, *and Town of* Berwick, *and to ſeek God for his direction and aſſiſtance, for the ſuppreſſing and preventing the ſame.*

And are theſe the waies and meanes that the Houſes of Parliament have thought upon for ſuppreſſing Errors, Hereſies, and Blaſphemies, to deſire that a Toleration of them may be eſtabliſhed by a Law? Is the laying of a foundation to propagate Hereſie and Schiſme, the beſt way to extirpate the ſame? Are theſe the fruits and effects of their ſolemne Faſt and Humiliation? Certainly God will not be mocked.

The Covenant doth alſo oblige us, mutually to preſerve the Authority of the ſupream Magiſtrate, the priviledges of Parliaments, and firm peace and union between the kingdoms to all poſterity. And is it not viſible, that many of thoſe Sectaries, with their adherents and abettors, doe by their pernicious doctrine and actions, offer violence to the Kings perſon and Authority, and againſt the rights and priviledges of Parliament? So as there is not any one Article of the Solemn League and Covenant, which is not in a high degree violated by them: And ſhall a toleration be eſtabliſhed for all ſuch? The oppoſing the Covenant, and Reformation of Religion, the dividing betwixt the King and his people, or making any faction among the people, contrary to this League and Covenant, were formerly the characters of our enemies: and whoſoever mayntayn and doe theſe things (though they ſhould aſſume to themſelves the name of Saints) are ſtill to be accounted Incendiaries, Malignants, and evill Inſtruments. And we are obliged by Covenant with faithfulneſſe to endeavour the diſcovery of all ſuch, that they may bee brought to publique triall, and receive condigne puniſhment.

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And though it be far from our intentions that pious & peaceable men ſhould be troubled, becauſe in every thing they cannot conform themſelves to Presbyteriall Government (for we did never oppoſe ſuch an indulgence to their perſons as is agreeable to the Word of God, may ſtand with the publick peace, and is not deſtructive to the order and Government of the Church) yet wee do from our very ſouls abhor ſuch a generall and vaſt Toleration as is expreſſed in the Propoſition. And if the Houſes (which God forbid) ſhall adhere thereunto, and inſiſt that it may be eſtabliſhed, We do proteſt againſt it, as that which is expreſly contrary to the Word of God, utterly repugnant to the ſolemn League and Covenant, deſtructive to Reformation and Uniformity in Religion, altogether inconſiſtent with the Declarations & Profeſſions of the Houſes, againſt the Treaty between the Kingdomes, directly oppoſite to the example & practice of all the reformed Churches, and as that which will unavoidably ſubvert all Order and Goverment, and introduce a world of confuſion. Our mindes are aſtonied, and our bowels are moved within us, when we think of the bitter fruits and ſad conſequences of ſuch a Toleration. What horrid blaſphemies againſt God! What vile abominations! What pernicious doctrine, to the ſubverſion and perdition of ſouls! What diſobedience to the Magiſtrate! What violation of duties between perſons of neereſt relation! What differences and diviſions in Families and Congregations it will bring forth! What bitter heart burnings it will beget, and perpetuate to poſterity! Nay, it is impoſſible for us to expreſſe what infinite diſtraction, diſorder, and confuſion it will make both in Church and State thorowout all the three Kingdoms. And therefore wee do obteſt the Houſes of Parliament by the ſolemn League and Covenant (which they have made in the preſence of Almighty God the ſearcher of all hearts, with a true intention to perform the ſame, as they ſhall anſwer at that great day, when the ſecrets of all hearts ſhall be diſcloſed) and by all the promiſes, profeſſions, and Declarati-

ons where with they induced the Kingdom of Scotland to an engagement and conjunction with them in this Cauſe, That they do not eſtabliſh ſuch an impious Toleration, as cannot but draw down the judgement of God, and make a rent between the two Kingdoms, united by ſo many tyes and relations, which wee deſire to cheriſh and ſtrengthen, and to continue to all poſterity.

That next to Religion wherein we differ in judgement from the Propoſitions, is concerning the intereſt and power of the Crown. We are obliged by our Covenant, allegeance, and the duty of Subjects, not to diminiſh but to ſupport the Kings juſt power and greatnes. The queſtion then is, wherein his royall Authority and juſt power doth conſiſt. And we affirm and hope it cannot be denyed, that regall power and authority is chiefly in making and enacting Laws, and in protecting and defending their ſubjects, which are of the very eſſence and being of all Kings. And the exerciſe of that power are the chief parts and duties of their royall office and function; And the Scepter and Sword are the badges of that power. Yet the new preface compared with other parts of theſe new Propoſitions, takes away the Kings negative voice, and cuts off all Royall power and right in the making of Laws, contrary to the conſtant practice of this and all other Kingdoms: For the Legiſlative power in ſome Monarchies is *Penes Principem ſolum*, and their Laws are called *Principum placita*, which is the higheſt and moſt abſolute kinde of Soveraignty. And in other Kingdoms and Monarchies, the power of making Laws is by compact between the Prince and people, or according to the conſtitution, practice, and uſage of the ſeverall Kingdoms. In the laſt the power of the King is leaſt; but beſt regulated, where neither the King alone without his Parliament, nor the Parliament without the King can make Laws; and where nothing enacted by the one without the conſent of the other, can have the force of a Law. And although we will rather profeſſe *ignorantiam & facti & juris alieni*, then take upon us to judge

judge of the Laws of another Kingdom; yet it seems to be very cleer and evident, by the practice and usage of all times, by the Parliaments own Declarations, and to be consonant to reason and Law, that the King without the Houses of Parliament, or the Houses of Parliament without the King, cannot enact any Laws; but both joyntly. And therefore the Lawes are sometimes called the Kings Laws, sometimes the Lawes of the Land, and Acts of Parliament. And the form or Acts of Parliament sometimes begin with the word *Concessimus*, or *Statuit Rex*; And of later times Lawes and Statutes begin, as being enacted by the King, with the consent and advice of the Lords and Commons. All which do import the Kings power and consent as to the making of Laws: So that there can be no Law made, and have the force of a Law without the King; which likewise is cleer by the expressions of the Kings answers, *Le Roy le Veut*, & *Le Roy Aviſera*; so as it is cleer from the words of assent, when Statutes are made, and from the words of dissent, that the Kings power in the making of Laws is one of the chiefest jewels of the Crown, and an essentiall part of Soveraignty. And if the King had no power nor consent in making of Laws, he would be lesse then a Subject. Sometimes the Kings denyall had been better then his assent to the desires of the Houses of Parliament; as when Kings have assented to the taking away the reading of Scripture from the Laity, as *Henry* the Eight did; or to introduce Popery, as Queen *Mary*. And since neither Kings nor Parliaments have the judgement of infallibility, it must certainly be the best, where Lawes are made with consent both of King and Parliament, which is the strongest bulwark of the peoples liberty, and supporter of the Kings authority. And the King being King over divers Nations, this form of constitution where neither the King without his Parliament, nor the Parliament without the King can make Laws, is a good and sure security to preserve his Kingdomes in peace from injuring one another, and to protect the subjects from injury amongst themselves. The

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Houſes of Parliament *pag.* 710 of the Exact collection of Remonſtrances and Declarations, anſwering an argument againſt the Kings paſſing the Bill of the Militia, make this Reply : *If we had ſaid (as wee did not) that the King had been bound to paſſe all Bils that ſhould be offered to him by both Houſes of Parliament, without any limitation or qualification of reaſon or juſtice, yet ſuch a ſuppoſition as this could not fall upon a Parliament, much leſſe that a King were obliged for to grant it.* And page. 727. *Wee did and do ſay, that the ſoveraign power doth reſide in the King and both Houſes of Parliament, and that his Majeſties negative voice doth not import a liberty for his Majeſtie to deny any thing as he pleaſeth, though never ſo requiſite and neceſſary for the Kingdom : and yet we did not, nor do ſay, that ſuch Bils as his Majeſtie is bound both in conſcience and juſtice to paſſe ſhall not-withſtanding be law without his conſent ; ſo far are we from taking away his negative voice.* Wherefore the power in making Laws, even according to the Parliaments own Declarations, cannot be taken a way from the King, and he required to aſſent to all ſuch Laws as the Houſes ſhall think fit, according to the Preface of theſe new Propoſitions, without a change of the Conſtitution and fundamentall Government of the Kingdom.

Concerning the power of the Militia, Wee do deſire and ſhal be willing to agree, that it may be ſo ſetled, as neither the King nor any other be able to diſtnrb or infringe the peace now to be agreed upon. And wee think that in his Meſſage from *Caresbrook-Caſtle* he hath offered that which ſhould be very ſatisfactory ; But that the King, his poſterity and the Crown ſhould for ever be diveſted of all power and right of the Militia, is different from our judgements. For if the Crown have no power of the Militia, how can they be able to reſiſt their enemies, and the enemies of the Kingdom, protect their ſubjects, or keep friendſhip or correſpondence with their Allies? All Kings by their Royall office and Oath of Coronation are obliged to protect their Laws and ſubjects : It were ſtrange then to ſeclude the Crown for ever from the Power

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of doing, that, which by the oath of Coronation they are obliged to perform, & the obedience whereunto falleth within the oath of Allegeance. And certainly if the King and His posterity, shall have no power in making Laws, nor in the Militia, it roots up the strongest foundation of honour and safety which the Crown affords; and will be interpreted in the eyes of the world, to be a wresting of the Scepter and Sword out of their hands. It is very far from our desires that Monarchy should be at the absolute height of an Arbitrary and tyrannicall power; Neither desire we Just Monarchicall power to be wronged and rendred contemptible: But to have such a golden Mediocrity as they may be able to protect their subjects, and oppose their enemies according to the fundamentall Laws, and ancient constitution of the Kingdom.

Before the last Propositions were sent to his Majesty at *Newcastle*, both in verball debates and in our writings, wee did shew, That we were unsatisfied concerning severall particulars contained in those propositions; particularly, when we did consent, that the power and exercise of the Militia should be setled in the houses of Parliament for a time, wee did it with this provision, that it were understood to be without prejudice to the right and interest of the Crown: And that the King & His posterity be not totally excluded and rendred incapable to protect their subjects, and oppose the enemies of the Kingdoms: And farther when wee gave way to the sending of those Propositions, wee did declare it to be our judgement, that divers things craved therein, were such, as peace or warre ought not to depend upon the grant or refusall of them; We ever did and must still hold it as a good rule in the making of a peace, that the more moderate and reasonable our desires bee, wee may expect the firmer peace. Wherefore as in the difference betwixt the King and the Parliament, wee think it very unjust to exclude the King from his Just power in the Militia; so when we look upon the Liberty of the subject, we think neither King nor Parliament ought to keep up an Army

in the field, when the warre is ended, to the vaſte expence and utter impoveriſhing of the people; the trained Bands of the Kingdom, (which may be made uſe of with little charge) and the forces which may be kept in ſome chief Garriſons, being ſufficient to ſuppreſſe any commotion or diſturbance that is likely to ariſe upon occaſion of the late troubles. And we conceive an Army ſhould be kept up only in the caſe of a powerfull Inſurrection within the Kingdom, or of a forraign invaſion from without, and otherwiſe to maintain a perpetuall Army in the bowels of the Kingdom upon the expence of the ſubject, when there is no enemy to fight with, is but to enſlave the King and Kingdome under a Military bondage.

When our Army returned to Scotland, it was confidently expected that the Houſes ſhould have ſpeedily disbanded their Army, (the warre being at an end and no viſible enemy in the Kingdom) and proceeded to the ſetling of a peace here, and to the effectuall relief of Ireland: But now after a full years delay almoſt, we do not finde amongſt all theſe propoſitions, any thing concerning the disbanding of Armies, or ſending releif to that diſtreſſed Kingdom; but on the contrary there is only proviſion made for keeping up armies, and raiſing money for their maintenance. Wee muſt therefore declare to the Houſes, that it is our judgment and earneſt deſire, that there may be a Propoſition for disbanding Armies in both Kingdoms. Armies were raiſed for defence of Religion, the Kings perſon and authority, the Priviledges of Parliament, and the liberty of the ſubject. And when they are no more uſefull for theſe ends, and the Houſes may conſult freely & act ſecurely without any hoſtile oppoſition, It is high time to disband them, that the Laws of the Kingdom may take place. Some of our neighbour nations are neceſſitated to keep up Armies becauſe they have enemies, that lie contiguous and adjoyning to their borders; but the ſea is our Bulwark. And if wee ſtudy amity and peace amongſt our ſelves, and entertain the union between the Kingdoms under his Majeſties government, wee need

need not fear forrain invaſion. It is a Cuſtome in other Nations to keep up Armies, to levy monies by force; But theſe are free Kingdoms: and when they have been fighting for liberty and freedom, wee truſt, that it is not intended that warre ſhould be made a trade, or that their warrs ſhal end in ſlavery. The continuance of Armies will certainly increaſe factions and diviſions, to the great weakning of the Kingdoms, and will in end expoſe us as a prey to our enemies: neither is it poſſible ſo long as they are kept up, that there can be a ſetled *peace* The charge of entertaining Armies is needleſſe, when there is no enemy, and extreamly grievous to the people, who before were willing to bear it, when they ſaw a neceſſity for it. And now after ſo great ſufferings and vaſt expence of Treaſure to ſouldiers for many years together, the burthen is become inſupportable. For theſe and many other reaſons which wee could adde, wee hold it moſt neceſſary, That as there is a Propoſition for payment of the arreares of the Army; ſo alſo there be an addition unto it for their disbanding.

Touching the conferring titles of honor, we deſire the King who is the fountain of honor, may not be deprived of that which in all ages and Kingdoms, hath been held and eſteemed a flowre of the Crown, and wherewith Kings doe uſually recompence the vertue and merites of ſuch as doe memorable ſervices to the Crown or Kingdome. And as to the diſpoſing of the great offices of State, and nameing of privy Counſellors, we conceive his Majeſties offer, in his late Meſſage of the ſixteenth of November; to be ſo reaſonable, as may give ſatis faction to the Houſes.

That which we are to ſpeak of next in order, is, the union and joynt intereſt of the Kingdoms, where we wiſh we had not juſt cauſe to expoſtulate, that the Houſes have omitted the Covenant in theſe Propoſitions: rejected all that concerns Unity and Uniformity in Religion: and have altered the former *Propoſition* for confirmation of the Treaties, and deſired now only an Approbation of the making of them, which amounts

to no more then an Act of indemnity. They have also in that Proposition omitted these words *With all other ordinances and proceedings past betwixt the two Kingdoms, and whereunto they are obliged by the foresaid Treaties*; which words were inserted in the former propositions, after serious debate; and therefore if the Houses intend to make good, and perform all ordinances past betwixt the Kingdoms, according to their manifold professions; We desire that this Proposition may remain as before without any alteration or omission. The proposition desiring his Majesties consent to what the two Kingdoms shall agree upon, in pursuance of the Articles of the large treaty, which are not yet finished, is omitted. The joynt declaration of both Kingdoms is likewise omitted; And generally through out these Propositions all expressions of joynt interest are left out. And whereas formerly the Propositions of both Kingdoms were drawn up together in one body: now for separating the interest of the Kingdoms, the Propositions for England, are drawn up apart; which new way, when we did observe, and what essentiall alterations, omissions, and additions were made in the matter of the Propositions, we desired a conference for removing all differences, & that we might the more speedily attaine to an agreement; but it was not granted: however we have herein discharged our duty, that we use all means to prevent difference, and that we for our part, study to observe the Treaty betwixt the Kingdoms, Where it is expressly provided in the eighth Article, *That no Cessation nor any pacification or agreement for peace whatsoever, shal be made by either Kingdom, or the Armies of either Kingdom, without the mutuall advice and consent of both Kingdoms, or their Committees in that behalf appointed*; and here we think it not amisse to remember the Houses of Parliament of their expressions in a declaration to the Lords States Generall of the united Provinces of the Low-Countries, showing why they did not admit of the mediation of the Dutch Ambassadors between the King and Parliament in the way and manner it was desired, without application

plication to the Kingdome of Scotland. The words of the declaration are, *that both the Kingdoms are mutually engaged in the Propositions and Treaty thereupon; And that neither could admit of their Mediation without consent of the other, because the two Kingdoms were united by solemn League and Covenant made to Almighty God, and by league each to other as one entire body to prosecute this cause; And that in pursuance thereof, Propositions for a safe and well grounded peace, were then preparing in a joynt way, by the Parliaments of both Kingdoms.* And whereas the Lords Ambassadours had propounded and offered from the King, the calling of a National Synode, to correct and redresse the government of the Church by Bishops; One of the Answers which was given thereunto in the said declaration, was, *That not only the Kingdom of Scotland and the Members of both Houses of Parliament, but also many thousands of others of his Majesties subjects of England and Ireland, stand bound by their late Nationall Covenant, to endeavour the extirpation of the Church Government by Bishops, intended in the paper of the Dutch Ambassadours, both in England and Ireland, and to hinder the setting of it up again in the Kingdom of Scotland.* All which being duly considered, we are extreamly sory, that the Houses of Parliament, should not only have given way, but countenanced the Army in their medling with the setling of the peace of the Kingdom, and authorized Commissioners to treat with them, upon Propositions of peace (which we take to be the reason, that these Propositions are in so many things agreeable to the Proposals of the Army, especially in matters of Religion,) and without all question, it had been more agreeable to the Treaty betwixt the Kingdoms, and to former professions and proceedings, that the Propositions of peace had been framed and agreed upon, with advice and consent of both Kingdoms. We have known the Houses of Parliament formerly look upon it as an offence of a high nature for any other then themselves to meddle in the matters of peace, especially the Commanders and officers of the Army (though in prime place and of great

and eminent fidelity) making it only proper for them to be exercised in matters of warre, according as they should receive direction from the Houses. And much more would the Houses have been offended, if any officers of their Army should have taken upon them to offer proposals to the King, for setling a peace, without authority from the houses, as we are informed some officers of Sir *Thomas Fairfax* his Army have done. If the Houses of Parliament had according to our earnest desire the third of *March* 1644. when they modelled their Army, made choice of such officers, as were known to be Zealous of the Reformation of Religion, and of that uniformity which both Kingdoms are obliged to promote and maintain, & if they had also renewed their Declaration made the twentieth of *September* 1643. That they could not confide in such persons to have or execute place and authority in the Armies raised by them, who did not approve and consent to the Covenant; or if their Ordnance on the 15 of *February* 1644 (which appointeth all officers to be imployed in Sir *Thomas Fairfaxes* Army to take the National league and Covenant of both Kingdoms, within 20 days after they were approved by the Houses) had been really put in execution, we are very confident it would have prevented a world of inconveniences & evils which have ensued upon the neglect thereof. Wee shall not further insist on this subject, neither shall we inlarge our selves upon the proceedings of the Army; But we must alwayes put the Houses of Parliament in minde, that our greatest strength is in a good agreement with the King, and a firme Union between the Kingdomes.

There is left out in these Propositions, the Proposition concerning the City of *London*, whereby they were to have the Government of their owne Militia and the Tower, and assurance that their Forces shal not be compelled to goe out of the City for Military Service, without their owne consent. An Act of Parliament confirming their Charters, Customes, Liberties, &c. And an Act, that all the By-Laws, and Ordinances

of

of Common-Councell made, or to be made, ſhould bee as effectuall to all intents and purpoſes, as if they were enacted by Authority of Parliament, with liberty alſo for them to repeale theſe Ordinances as they ſhall ſee cauſe. Theſe things were formerly deſired in the Propoſitions in behalfe of the City, becauſe of their affection, forwardneſſe, faithfullneſſe, and zeale in the common cauſe of both Kingdomes. And we conceive our ſelves in duty obliged, to deſire that this Propoſition may not be omitted, but preſented to His Majeſty for His aſſent.

Concerning the Propoſitions for taking away the Court of Wards, and Forreſt Lands from His Majeſty: It cannot be expected, when the Houſes of Parliament ſhall take into their conſideration, the glory and greatneſſe wherein the Kings have lived, that they will ever take away or diminiſh any part of that Patrimony and Revenue, which is neceſſary for ſupporting the Dignity of their Royall place, without giving a full recompence for the ſame.

Touching the Propoſition for ſale & diſpoſall of the Lands of Deanes and Chapters, &c. as the Houſes ſhall think fit: We have onely this to ſay, that we have alwayes heard theſe lands were reſerved by the Houſes for maintenance of the Miniſterie; and if they ſhould be otherwiſe diſpoſed of, it will prove a great diſcouragement to faithfull Paſtors, make their ſubſiſtance to depend upon the benevolence and charity of their hearers, and give occaſion to the people (where Miniſters are wanting for lacke of maintenance) to follow after Sectaries and Tub-Preachers.

We deſire to ſee the Ordinances for Indemnity mentioned in the Propoſitions.

And now to conclude, we ſhall here ſet downe moſt of our deſires: Which are.

That there may be a Perſonall Treaty with His Majeſty at *London*.

That the Preface may be the ſame as in the former Propoſitions.

That

That the Honourable Houſes, according to the ſolemne Vowes, Treaties, Declarations, and Engagements between the Kingdomes, would after ſo very long delay, eſtabliſh the Solemne League and Covenant; and that His Majeſty be deſired to give His Royall Aſſent, for confirming the ſame by act of Parliament in both Kingdomes.

That the ſetling Reformation of, and Uniformity in Religion, according to the Covenant, in *England* and *Ireland*, be likewiſe deſired in theſe new Propoſitions; And in particular, that the Confeſſion of Faith, Directory of Worſhip, Forme of Church-Government, and Catechiſing, agreed upon by the Aſſembly of Divines, and preſented to the Houſes, be eſtabliſhed.

That by Act of Parliament, effectuall Courſe be taken for ſuppreſſing Blaſphemy, Hereſie, Schiſme, and all ſuch ſcandalous Doctrines and Practiſes, as are contrary to the light of Nature, or to the knowne principles of Chriſtianity (whether concerning Faith, Worſhip, or Converſation) or to the power of Godlineſſe; or which may be deſtructive to Order and Government, or to the peace of the Church or Kingdome.

That the Ordinances concerning the calling and ſitting of the Aſſembly of Divines, be deſired to be confirmed by Act of Parliament, as in the former Propoſitions.

That the Propoſition for confirmation of the Treaties betwixt the Kingdomes; And all Ordinances and proceedings betwixt them be expreſſed as in the former Propoſitions. And that the Treaty for the returne of the Scots Army, of the Date of the 23 of Decemb. 1646. be inſerted amongſt the reſt.

That His Majeſties Aſſent be deſired to what the two Kingdomes ſhall agree upon, in proſecution of the Articles of the large Treaty, which are not yet finiſhed: And that all other things concerning joynt-Intereſt, or the Kingdome of *Scotland* in particular, which are comitted, be inſerted, and expreſſed as in the former Propoſitions.

That Armies in both Kingdomes, which were raiſed for preſervation

ſervation and Reformation of Religion, And for defence of the Kings Perſon, and ſafety of the Kingdomes, be not kept up to hinder Reformation of Religion, And the King from His Government, And to be a burthen to the Subjects, ſince the Warre is ended; but that they may have due ſatisfaction of their Arreares, and be disbanded; without which, there can be no reall nor laſting Peace; That all Armies being disbanded here, ſpeedy reliefe may be ſent to *Ireland*.

That an Act of Oblivion, which is the band of Peace, be agreed upon, to be paſt in the Parliaments of both Kingdomes

That the King be reſtored to his Rights and Revenues, and particularly that the Crowne be not excluded from the power of making Lawes, which is as eſſentiall to Kings, as to governe by Lawes, and ſway the Scepter; Nor from the power of the *Militia*, without which they can neither protect their Subjects, oppoſe their and the Kingdomes enemies, nor keep friendſhip with their Allyes.

That there be a concluſion added to the Propoſitions, promiſing our reall endeavours (as was done in the Propoſitions Treated upon at *Uxbridge*) that his Majeſty may live in the ſplendor and glory of his Royall Progenitors, as beſeemeth His Royall place and Dignity; That ſo all differences and troubles may end in mutuall confidence and rejoycing; the King may enjoy the comfort of His Royall Conſort and Children, with other contentments; And wee, after ſo great diſtractions, and long continued ſufferings, may reap the bleſſed fruits of Truth and Peace under this Government.

And as it is very farre from our thoughts and intentions in expreſſing our Differences upon the Propoſitions, to provoke or give offence; ſo we truſt, that our freedome in diſcharge of the truſt committed to us, proceeding from our zeale to Religion, Loyalty to the King, and love to Peace; ſhall receive a candid Interpretation from the Honourable Houſes. And that they will, in their wiſedome, not ſlight the deſires of a Kingdome, who in the time of *Englands* greateſt danger, eſteemed

no hazzard too hard for their Assistance: And are now seeking nothing, but the performance of the mutuall Obligements, Declarations, and Treaties betweene the two Kingdomes, And to prevent the dangers which may ensue upon the violation and breach of so solemne engagements.

The Houses of Parliament have frequently professed, that the chiefe end of their Warres was the Reformation and establishment of Religion according to the Covenant. And they have often Promised and Declared to the King, and to all the World, (not without deep attestations of the Name of God) that no trouble or successe should ever make them wrong or deminish the power of the Crowne, which were the chiefe motives & Argumen ts that induced *Scotland* to engage with them in this Warre. Let therefore that be given to God, which is Gods, and to *Cesar* what is *Cesars*: whereby it may be evident that you are not unmindfull of the solemne Vowes you made to God in the time of distresse, for Reformation of Religion: and it may also really appeare, that the advantages and power which Successe hath put into your hands, hath not lessened your Loyalty to the King. And according to our many professions, and neare relations: let us really and cordially, cherish and strengthen the Union between the two Kingdomes under his Majesty, by all the Pledges of reciprocall kindnesse, that so Religion and Righteousnesse may flourish, and both Kingdomes, languishing under the heavy pressures and calamities of an unnaturall Watre, may live in peace and plenty.

By Command of the Commissioners for the Parliament of Scotland.

17 *Decemb.* 1647.

Io. Cheislie.

WEE have perused the Instructions communicated unto us on *Tuesday* in the afternoone, wherein the Commissioners of both Houses appointed to goe to the King,

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are commanded to represent unto His Majesty four Bills, concerning the setling the Militia of *England* and *Ireland* in both Houses of Parliament. An Act for justifying the proceedings of Parliament in the late War; and declaring all Oathes, Declarations, Proclamations, and other proceedings against the Parliament to bee voyd. Concerning Peeres lately made, or hereafter to bee made; and a new Proposition for the adjournments of both Houses. To which Bills they are commanded to desire His Majesties assent by His Letters Patents under the great Seal of *England*, and not otherwise. And after His Majesties assent to those Bils, the Houses of Parliament will send a Committee of both Houses to Treate with His Majesty in the isle of *Wight* upon the remainder of the new Propositions. To all which wee answer; That, although there be nothing which we more passionately desire then a happy Peace, and good agreement with the King; yet we cannot agree to this way of desiring His Majesty to assent to those four Bills, before any Treaty with His Majesty upon other Propositions, it being in our judgment neither for the good of Religion, the King nor Kingdomes. And first concerning Religion, we say, that in *Ianuary*, 1645. it was agreed on betwixt the Houses of Parliament and us, before the Treaty at *Uxbridge*; That the Propositions concerning Religion, the Militia, and Ireland, shall be treated upon *alternis vicibus*, beginning first with the Proposition of Religion, and that as it is of most excellency, so it is to bee sought after and finally agreed upon in the first place before any finall agreement be made upon any of the other Propositions, Wee are very sure the Houses had far greater reason at that time, to looke to their security, and to desire the Proposition for setling the Militia to be first agreed on, when the King had an Army in the field, then now when they have a strong Army, and he has none at all. And upon the other part the danger to Religion is now much greater then at any time before, when men in Armes are demanding a toleration of all sorts of Religions (Popery excepted.)

And if first of all it should be agreed on, that the continuance of such an Army shall be setled by Law, we desire it may be equally considered, what good can be expected from a treaty upon Religion, or what hopes shal remaine of setling it according to the Covenant; wherefore we cannot consent to the sending any Propositions or Bils to be a security for setling Peace without Truth, which hath been acknowledged both by His Majesty, and the Houses in all former Treaties or Messages, to bee the best and most solid foundation of a lasting Peace. And we must still presse that there may be a preference of those desires which are for setling Religion and the Goverment of the Church: the want whereof, is the cause of the Sects and Heresies which doe multiply and increase daily, to the disturbance of all Order and Peace, both in Church and State.

As this way is not for the good of Religion, so it cannot in reason be conceived, that it shall be acceptable to the King; for how can it be expected that he will grant those things for a personall Treaty (whereof the issue is uncertain) which he hath ever hithere to denyed even to obtain a Peace (especially when after all his Majesties earnest desires, hee cannot be admitted to come to *London*, nor upon any tearms to have a Treaty here, in respect the Houses conceive that the Kings presence with them, at this time stands not with safety and security of the Parliament and kingdome; but that the Kings assent to the foure Bills must be by Commission, and there after a Treaty upon the rest of the Propositions at the Isle of *Wight*? Or can it be looked for, that he will give the whole and sole power of the Militia from himself and his posteritie to the Houses for their security, and to be disposed of as they shall think fit, and have no security at all to himself, nor any assurance that he shall be restored to his Rights and Government? It is much probable, that he will think he hath already offered sufficient security in his late Message from *Carisbrooke* Castle of the 16 *Novemb.* wherein

wherein he is content that all power of the Milltia be in the Houſes of Parliament during his Raigne.

Neither is this way in our apprehenſions for the good and ſafety of the Kindomes, that an army holding ſuch principles as they do concerning Religion, and in relation to the ſetling the government and Peace of the Kingdomes, and which (without any known authority from the Parliament) hath increaſed their number to neere the double of what they are allowed by order of Parliament, (and in their late Repreſentation acknowledge their ſupernumeraries to be about twenty thouſand.) That ſuch an Army (we ſay) ſhall be perpetualy eſtabliſhed when there are no forces to oppoſe the Parliament, and that the ſubjects ſhall be obliged by a Law for ever to ſubmit to a Military power, and pay what moneyes ſhal be demanded for their maintenance; whatſoever it may ſeem to others to bee, in our ſenſe it doth neither agree with the rules of Policy nor Safety.

We did deſire to ſee the foure Bills to be preſented to His Majeſty (ſo much the rather, that from the Title of the Bill for the Militia; we perceive that it doth extend to the ſetling and maintaining of forces in the Town of *Barwicke*, contrary to the large Treaty betwixt the kingdomes.) And we did repreſent that thoſe Bills being aſſented unto by the King would bee a reall ſecurity, and the making an Agreement for Peace, which according to the Treaty betwixt the Kingdomes cannot be done without the mutuall advice and conſent of both. To which the Houſes did yeſterday returne as their Anſwer, That the Priviledges, Right and Cuſtome of the kingdome & Parliament of *England*, is, that Bills paſt both Houſes to be preſented to the King for His Royal aſſent, are not to be communicated to any other whoſoever either in relation to Matter or Forme, before His Anſwer thereunto given. And that there is nothing contained in any Article of Treaty betwixt the Kingdomes to the contrary. Whereunto we make this Reply, that the Bills mentioned in the 11. *Sect.* of the Propo-

sitions of Peace, presented to His Majesty at *Oxford* in *Anno* 1644. were communicated unto us before they were sent to the King, and upon perusall of them, we did desire that nothing might be in those Bils contrary to the Covenant, or the Reformation, and Uniformity to be setled. Upon consideration whereof, the House of Com. gave us this answer: That the Reformation and Uniformity desird, is alredy provided for, in one of the Propositions, to which nothing contained in those Bils could be any prejudice, but should hereafter bee regulated as the said Reformation and Uniformity shall be thought fit to be setled. Also the Bil for abolishing Episcopacy was communicated unto us, and afterward debated upon by his Majesties Commissioners, and the Commissioners of both Kingdomes at *Uxbridge*. Wee thought fit to give these instances, to shew, that it hath not alwayes been the custome of both Houses not to communicate their Bills before His Majesties Answer were given thereunto. Yet it is no wayes our desire to meddle with the framing of your Lawes, or advising the forme of your Bils, we shall ever be tender of any just priviledge of Parliament; but that it should be said that there is nothing contained in any Article of Treaty between the two Kingdoms, which requires the communication of the matter of any Bils, is to us very strange. It is agreed upon betwixt the Kingdomes, that no Cessation, or any Pacification, or Agreement of Peace whatsoever, shall be made by either Kingdome, or the Armies of either Kingdome, without the mutuall advice & consent of both Kingdomes: Suppose the Houses of Parliament should turne all their desires for peace into Bils, and should say, that those Bils cannot be communicated to the Kingdome of *Scotland*, either in relation to matter or forme: Wee desire to know, and let any rationall man judge, whether this were not an cluding and cleare violation of the Treaty: Neither can it in this case be a satisfactory Answer, that the Houses of Parliament doe only send foure of the Propositions in Bils to His Majesty; for every one of the Propositions is a

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Propoſition for peace, and an Agreement made upon any on, of them is an agreement for peace. And which is much more there are none of the Propoſitions which in their owne nature doe ſo immediatly concerne the ſetling of a peace, as theſe foure Propoſitions; and what can be called an Agreement for peace if this bee not? when the King by His aſſent ſhall juſtifie the proceedings of the Parliament in the late warre, and make all Oaths, Declarations, Proclamations, and other proceedings againſt it to be void, when by Act of Parliament be ſhall ſettle the power of all Forces by Sea and Land into the Houſes of Parliament, and alſo to raiſe monies for their maintenance: when he ſhal conſent that all Peers made, or hereafter to be made, ſhall not ſit to vote in Parliament without conſent of both Houſes, and when hee ſhall give power to the Houſes to adjourne at their pleaſure: If then, the Kings aſſent to thoſe Bils be an Agreement for peace, (as we hope it cannot in reaſon be denyd) our advice and conſent ought to be had therein, before they be ſent to the King, and otherwiſe the Treaty is violated.

As we cannot agree to this way of ſending theſe foure Bills to His Majeſty for His Aſſent before any Treaty upon the reſt of the Propoſitions: ſo wee are extreamly unſatisfied with the matter of theſe new Propoſitions lately communicated unto us, for the reaſons expreſſed in our Anſwer unto them, which we doe herewith deliver unto your Lordſhips, to be preſented to both Houſes of Parliament: And we doe deſire that they would take the whole buſineſſe unto their further conſideration, and that there may be a perſonall Treaty with His Majeſty here at LONDON upon ſuch Propoſitions as ſhall be agreed upon, with advice and conſent of both Kiugdomes according to the Treaty.

Decemb. 17. 1647.

By Command of the Commiſſioners for the Parliament of Scotland.
Io. CHEISLIE.

FINIS.

[illegible]

[illegible] Parliament [illegible] Latterwaire, and [illegible] Ordinary [illegible] Parliament [illegible] the power of all Forces by Sea and Land into the Houses of Parliament, and also to [illegible] for their main-tenance [illegible] made [illegible] to be made, shall not fit to vote [illegible] without consent of both Houses, and when [illegible] the Houses [illegible] at their [illegible] Be an Agreement [illegible] your advice and consent [illegible] to be had there-in, before they be sent to the King, and [illegible] the Treaty [illegible].

As we cannot agree to this way of sending [illegible] Ahum before any Treaty upon the rest of the Propositions [illegible] with the matter of these new Propositions [illegible] the reasons expressed in our Answer unto them, [illegible] your [illegible] to be presented to both Houses of Parliament: And we do desire that they [illegible] the whole business unto their [illegible] consideration, and that there may be a personall Treaty with His Majesty [illegible] on [illegible] such Proposi-tions as shall be agreed upon, with advice and consent of both Kingdoms according to the Treaty.

Decemb. 17. 1647.

By Command of the Commissioners for the Parliament of Scotland.

Io. CHEISLIE.

FINIS.